

CHAPTER 166

(House Bill 308)

AN ACT concerning

Natural Resources – Oysters – Dredge Devices

FOR the purpose of repealing a prohibition on a person on a dredge boat possessing or using certain dredge devices; requiring the Department of Natural Resources to report to certain committees on or before a certain date regarding certain environmental impacts; providing for the termination of this Act; and generally relating to oyster dredge devices.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–1013(f)

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Natural Resources

4–1013.

(f) A person may not catch oysters in the waters of the State or possess any scoop, dredge, handscrape, or similar instrument having a tooth bar more than 42 inches in length measuring from the outside teeth on dredges used in dredging on rock bottoms or 44 inches in length measuring from the outside teeth on dredges used in dredging on mud bottoms, or of a weight exceeding 200 pounds. [The captain or any other person may not possess or use a “devil catcher” or “devil diver”, or similar device on any dredge boat to be attached to the dredge for steering it to the bottom.]

SECTION 2. AND BE IT FURTHER ENACTED, That, subject to § 2–1246 of the State Government Article and on or before September 30, 2007, the Department of Natural Resources shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee regarding the environmental impacts of the use of “devil catchers”, “devil divers”, and other similar devices on dredge boats that may be attached to the dredge for steering to the bottom, including the primary areas where these devices are utilized and the extent of use in those areas.

~~SECTION 2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004. It shall remain effective for a period of 3 years and, at the end of September 30, 2007, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved April 27, 2004.